

REGULAR CITY COUNCIL MEETING
SEPTEMBER 10, 1990

PRESENT

Don Dafoe
Wesley J. Bloomfield
Gayle Bunker
Robert Droubay
Rex Harris

Mayor
Council Member
Council Member
Council Member
Council Member

ABSENT

Robert Dekker
Dorothy Jeffery

Council Member
City Recorder

OTHERS PRESENT

Carol Howell
Richard Waddingham
Wayne Andrews
Ken Rand
Jim Robson
Wayne Saltzgiver
Joe Allen
Gary Olsen

City Secretary
City Attorney
Central Utah Gas Co.
Chronicle/Progress
Delta Resident
Mountain Fuel
Delta Resident
Mountain Fuel

Mayor Dafoe called the meeting to order at 7:00 p.m. Carol Howell, City Secretary, acted as secretary. Mayor Dafoe stated that notice of the meeting time, place and agenda was posted at the principal office of the governing body located at 76 North 200 West and was provided to the Millard County Chronicle/Progress, the local radio station, KNAK, and to each member of the City Council by personal delivery two days prior to the meeting.

Council Member Gayle Bunker offered an invocation, after which Mayor Dafoe led the Council in the Pledge of Allegiance.

MINUTES

The proposed minutes of a Public Hearing held June 25, 1990, were presented for consideration and approval. The Council reviewed the minutes briefly, after which Council Member Wesley Bloomfield MOVED that the minutes be approved as presented. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

The proposed minutes of a Regular City Council Meeting held June 25, 1990, were presented for consideration and approval. The Council reviewed the minutes briefly, after which Council Member Gayle Bunker MOVED that the minutes be approved as presented. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

The proposed minutes of a Regular City Council Meeting held August 13, 1990, were presented for consideration and approval. The Council reviewed the minutes briefly, after which Council Member Gayle Bunker MOVED that the minutes be approved as presented. The motion was SECONDED by Council Member Rex Harris. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

The proposed minutes of an Urgent Meeting held August 29, 1990, were presented for consideration and approval. The Council reviewed the minutes briefly, after which Council Member Gayle Bunker MOVED that the minutes be approved as presented. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a list of which has been given to them two days prior to the meeting. Following a brief discussion of the accounts payable, Council Member Wesley Bloomfield MOVED that the accounts payable be approved for payment as listed in the amount of \$25,415.68, also that the accounts payable be approved for payment as listed in the amount of \$9,069.14 for a total of \$34,484.82. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

OLD BUSINESS

ATTORNEY RICHARD WADDINGHAM: PROPOSED ORDINANCE GRANTING TO CENTRAL UTAH GAS COMPANY, ITS SUCCESSORS OR ASSIGNS, A NON-EXCLUSIVE FRANCHISE FOR THE CONSTRUCTION AND OPERATION OF A GAS DISTRIBUTING SYSTEM FOR A MINIMUM TERM OF FIFTY YEARS, AND FIXING AND PRESCRIBING CONDITIONS AND TERMS

Mayor Dafoe asked Attorney Richard Waddingham to present a proposed ordinance regarding a non-exclusive franchise to Central Utah Gas Company.

Attorney Waddingham explained that several months ago he had been instructed by the City Council to prepare an ordinance granting to Central Utah Gas Company a non-exclusive franchise. He said that he has reviewed the ordinance proposed by Central Utah Gas Company, and in preparation of a proposed ordinance he had the following concerns and asked the Council Members to address them:

1. Right to assign or pledge the franchise or the license.
Attorney Waddingham recommended that in the event that the company wanted to transfer their license or their right to do business, it be done only upon approval of the City Council.
2. Encumbered license.
Attorney Waddingham recommended that a license not be encumbered because it is a pledge and it would have to be by Council's consent if anyone else is to handle service other than who the license is issued to.
3. Term.
Attorney Waddingham said that the proposed ordinance states a term of 50 years. When does the 50 years begin?
4. Natural Gas System.
What type of system will be installed? Where is it going to be located? What is it going to cost? What is the construction time period? Attorney Waddingham asked for a preliminary plan which shows where the gas line will be located and how it will be installed.

The Council agreed to a time limitation of two years after the permit has been issued.

5. Bonding Requirements and Liability Insurance.
6. System abandonment and removal.
7. Franchise Fee.

Mr. Andrews said that they have applied for an Area Certificate but the Public Service Commission will only issue one Area Certificate to one natural gas company.

Mountain Fuel explained that they had previously applied to the Public Service Commission (PSC) for an area certificate and were told by the PSC that they did not need to reapply but their original application would be considered.

An office facility was briefly discussed. Central Utah Gas said that service people would be available in Delta City, however, they felt it would not be feasible to staff an office.

Attorney Waddingham will present a proposed ordinance at the next Regular City Council meeting.

ATTORNEY RICHARD WADDINGHAM: PROPOSED ORDINANCE REGARDING ABOVE GROUND STORAGE TANKS

Mayor Dafoe asked Attorney Richard Waddingham to present a proposed ordinance regarding above ground storage tanks.

Attorney Waddingham said that he would meet with Fire Chief Bryce Ashby during the next two weeks and draft an ordinance suitable to Delta City's needs.

ATTORNEY RICHARD WADDINGHAM: PROPOSED ORDINANCE REGULATING PARKING IN PRIVATE BUSINESS PARKING AREAS

Mayor Dafoe asked Attorney Richard Waddingham to present a proposed ordinance regulating parking in private business parking areas.

Attorney Waddingham said that in order to enforce a parking ordinance in private business parking areas, agreements need to be in place from private business owners. He said that he now has oral agreements from property owners and that he will reduce them to writing and attach to an ordinance at the next Regular City Council Meeting.

MAYOR DON DAFOE: PROPOSED ORDINANCE REGULATING SIZE, CONDITION, LOCATION OF SIGNS ON PUBLIC PROPERTY

Mayor Dafoe said that Michael Van and Neil Forster placed a sign at the Airport advertising the Super 5/Deltan Inn Motel. Mayor Dafoe said that a section of the Zoning Ordinance pertains to signs. He then asked Attorney Waddingham to discuss a proposed ordinance regarding signs.

Attorney Waddingham requested Council's permission to meet with Public Works Director Neil Forster to review signing regulations as stated in the Zoning Ordinance and present at the next Regular City Council Meeting.

PUBLIC WORKS DIRECTOR NEIL FORSTER: STATUS OF KAYE'S HAIR CARE BUSINESS LICENSE

In view of Public Works Director Neil Forster's absence, Mayor Dafoe explained that Mr. Forster has given an application for a Variance and request to meet with the Board of Adjustments to Mrs. Niles. There has been no further action taken.

NEW BUSINESSWAYNE SALTZGIVER, MOUNTAIN FUEL: NATURAL GAS

Mayor Dafoe welcomed Wayne Saltzgiver, Mountain Fuel, and asked him to address the Council.

Wayne Saltzgiver reviewed with the Council typical questions and answers related to Mountain Fuel and Natural Gas. He invited Mayor Dafoe or a representative from Delta City to a meeting in Fillmore September 27, 1990, regarding a Millard County Wide proposal for Natural Gas.

JIM ROBSON: PRIVATE CLUB LICENSE

Mayor Dafoe asked Jim Robson to present a request to the Council for a Private Club License.

Jim Robson, tavern owner, said that due to regulations in the new State Liquor Laws, he is applying for a Private Club License from the State and requested Council's approval of a Local Consent Form, which allows him to apply for a license.

Following discussion, Council Member Wesley Bloomfield MOVED to authorize Mayor Dafoe to sign a Local Consent Form for Jim Robson to proceed with a Private Club License. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

OTHER BUSINESS

Mayor Dafoe said that Librarian Deb Greathouse has been instructed by her doctor to stay in bed for the next seven weeks. Discussion was held regarding payment to Mrs. Greathouse for work done at home. However, the Council was not in favor of that type of an arrangement. Mayor Dafoe said that Gerry Ogden and Wendy Warren are the two Assistant Librarians who will be staffing the Library.

Council Member Robert Droubay said that Mrs. Greathouse has indicated that there are grants available for Library building additions. The Council spoke in favor of an addition to the Library but felt that Millard County should be asked to participate in the funding of an addition.

Discussion was then held regarding Revenue Sharing between Delta City and Millard County. A Public Service Special District was also discussed.

Mayor Dafoe said that Fred Anderson is waiting to plant a field in the area of the West Delta Annexation Water Line Project. Mayor Dafoe has instructed Public Works Director Neil Forster to work overtime if needed in order to complete that line by the end of the week.


Mayor Dafoe recommended that when asphalt is being laid where curb and gutter already exist, asphalt should be extended to the curb rather than leaving an unfinished strip and requiring the property owner to fund that portion of asphalt. The Council was in agreement.

Mayor Dafoe said that one of the surplus street light fixtures was sold for \$1,500. The City still has one surplus street light fixture.

Weed control was discussed, and it was suggested that an employee be appointed to determine where weed control should be enforced.

Mayor Dafoe asked if there were any comments, questions or items to be discussed. There being none, Council Member Robert Droubay MOVED to adjourn. The motion was SECONDED by Council Member Rex Harris. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously. Mayor Dafoe declared the meeting adjourned at 8:45 p.m.


DON DAFOE, Mayor


DOROTHY JEFFERY
Delta City Recorder

MINUTES APPROVED: RCCM 9-24-90